

COMMONWEALTH OF KENTUCKY
BEFORE THE UTILITY REGULATORY COMMISSION

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In the Matter of:

THE CHARGING OF UNAUTHORIZED)
RATES BY AUXIER WATER COMPANY) CASE NO. 8024

O R D E R

On October 31, 1980, the Commission issued an Order in Case No. 7869 which found that Auxier Water Company had charged rates in excess of those approved by this Commission for the service month of September. The Applicant was ordered to file a detailed plan with a listing of the customers and the amount to be refunded to each customer for the amounts charged under rates in excess of those authorized by the Commission in its Order in Case No. 6580. On November 18, 1980, Auxier Water Company filed its plan stating that each refund would be credited against the November bill.

On November 5, 1980, the Commission ordered Auxier Water Company to appear at the Commission's offices on December 9, 1980, and show cause, if any it could, why it should not be penalized for charging unauthorized rates, and why it should not be required to notify all their customers that they had charged unauthorized rates. At the hearing it was determined that Auxier Water Company had applied the rates allowed in Case No. 7869 to the service month of October. The Order dated October 31, 1980, specifically stated that the rates are for water service rendered on and after the date of the Order.

On January 8, 1981, the Commission received a complaint from the Auxier Community Development Club stating that the club disagreed with Auxier Water Company's "Report of Compliance with Order" in Case No. 7869. In that report, Auxier Water Company stated that all of the requirements specified in the

Commission's order in Case No. 4700 had been met. The club reports that ten (10) fire hydrants were scheduled for installation in 1966, but have not been installed to date. Consequently, the club requested that the Commission schedule a hearing to address the matter.

Pursuant to KRS 278.260 and upon its own motion, the Commission HEREBY ORDERS that Auxier Water Company shall appear and give testimony relative the fire hydrants which have not been installed.

It is FURTHER ORDERED that the matter be and it hereby is, set for hearing on the 2nd of April, 1981, at 1:00 P.M., Eastern Standard Time, in the Commission's offices at Frankfort, Kentucky.

IT IS FURTHER ORDERED that Auxier Water Company shall prepare and file a detailed analysis with a listing of the customers and the amount to be refunded to each customer for the amounts charged under rates authorized by the Commission in its Order in Case No. 7869 for the October service period in excess of those in Case No. 6580.

IT IS FURTHER ORDERED that Auxier Water Company shall file the amounts refunded to each customer to date for the overcharges in the service month of September.

IT IS FURTHER ORDERED that Auxier Water Company shall file the amounts refunded to each customer to date for the overcharges in the service month of October.

IT IS FURTHER ORDERED that the above information shall be filed with this Commission within twenty (20) days from the date of this Order.

Done at Frankfort, Kentucky, this 25th day of February, 1981.

UTILITY REGULATORY COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Secretary